



Atty. Docket No. HAU234
Client Matter No. 81250.0091.001
Express Mail No. EV322529875US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Bailey, et al.

Group Art Unit: 1625

Serial No. 09/943,158

Examiner: Taylor V. Oh

Filed: August 30, 2001

For: EFFICIENT METHOD FOR PRODUCING
COMPOSITIONS ENRICHED IN ANTHOCYANINS

To: MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR TWO MONTH TIME EXTENSION

Sir:

The Applicants hereby request an extension of time of two months, from February 4, 2004 to April 4, 2004, in which to respond to the Office Action dated November 4, 2003. A check for the required fee for this petition is submitted herewith.

Respectfully submitted,

Dated: March 19, 2004


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03/23/2004 YPOLITE1 00000137 09943158

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision

 Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** **(\$)****210****Complete if Known**

| | |
|----------------------|-----------------|
| Application Number | 09/943,158 |
| Filing Date | August 30, 2001 |
| First Named Inventor | David Bailey |
| Examiner Name | Taylor V. Oh |
| Group / Art Unit | 1625 |
| Attorney Docket No. | HAU234 |

METHOD OF PAYMENT (check all that apply)

check credit card money order other none
 Deposit Account

Deposit Account Number **50-1123**Deposit Account Name **Hogan & Hartson L.L.P.**

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION**1. BASIC FILING FEE**

| Large Entity Fee (\$) | Small Entity Fee (\$) | Fee Description | Fee Paid |
|-----------------------|-----------------------|------------------------|----------|
| 770 | 385 | Utility Filing Fee | |
| 340 | 170 | Design filing fee | |
| 530 | 265 | Plant filing fee | |
| 770 | 385 | Reissue filing fee | |
| 160 | 80 | Provisional filing fee | |

SUBTOTAL (1) (\$)**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| | -20**= | | |
| Independent Claims | -3**= | | |
| Multiple Dependent | | 0 | = |

**or number previously paid, if greater; For Reissues, see below

| Large Entity Fee (\$) | Small Entity Fee (\$) | Fee Description |
|-----------------------|-----------------------|---|
| 18 | 9 | Claims in excess of 20 |
| 86 | 43 | Independent claims in excess of 3 |
| 290 | 145 | Multiple dependent claim, if not paid |
| 86 | 43 | **Reissue independent claims over original patent |
| 18 | 9 | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)**3. ADDITIONAL FEES**

| Large Entity Fee (\$) | Small Entity Fee (\$) | Fee Description | Fee Paid |
|-----------------------------------|-----------------------|--|------------------------|
| 130 | 65 | Surcharge – late filing fee or oath | |
| 50 | 25 | Surcharge – late provisional filing fee or cover sheet | |
| 130 | 130 | Non-English specification | |
| 2,520 | 2,520 | For filing a request for ex parte reexamination | |
| 920* | 920* | Requesting publication of SIR prior to Examiner action | |
| 1,840* | 1,840* | Requesting publication of SRI after Examiner action | |
| 110 | 55 | Extension for reply within first month | |
| 420 | 210 | Extension for reply within second month | 210 |
| 950 | 475 | Extension for reply within third month | |
| 1,480 | 740 | Extension for reply within fourth month | |
| 2,010 | 1,005 | Extension for reply within fifth month | |
| 330 | 165 | Notice of Appeal | |
| 330 | 165 | Filing a brief in support of an appeal | |
| 290 | 145 | Request for oral hearing | |
| 1,510 | 1,510 | Petition to institute a public use proceeding | |
| 110 | 55 | Petition to revive – unavoidable | |
| 1,330 | 665 | Petition to revive – unintentional | |
| 1,330 | 664 | Utility issue fee (or reissue) | |
| 480 | 240 | Design issue fee | |
| 640 | 320 | Plant issue fee | |
| 130 | 130 | Petitions to the Commissioner | |
| 50 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 180 | 180 | Submission of Info Disclosure Stmt | |
| 40 | 40 | Recording each patent assignment per property (times number of properties) | |
| 770 | 385 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 770 | 385 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 770 | 385 | Request for Continued Examination | |
| 900 | 900 | Request for expedited examination of a design application | |
| Other fee (specify) | | | |
| *Reduced by Basic Filing Fee Paid | | SUBTOTAL (3) | (\$) 210 |

SUBMITTED BY Complete (if applicable)Name (Print/Type) **Sarah S. O'Rourke**

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Signature



Date

3-19-04